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FILED
DISTRICT COURT OF GUAM

APR 16 2008^{LC}

JEANNE G. QUINATA
Clerk of Court

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6 *Attorneys for Defendant In Hyuk Kim aka Dominic*

7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF GUAM**

9
10 UNITED STATES OF AMERICA,

CRIMINAL CASE NO. CR07-00064

11
12 vs.

**JUSTIFICATION FOR STIPULATION
TO ENLARGE TIME FOR MOTION
BRIEFING SCHEDULE**

13 IN HYUK KIM aka DOMINIC,

14 Defendant.
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- 17 1. I am counsel for the defendant in the above-captioned matter.
 - 18 2. On March 28, 2008, the Court scheduled a motion cut-off date of April 11, 2008. At the
19 time the Court set this date it advised defense counsel that if he needed additional time to
20 file motions to let the Court know.
 - 21 3. Defense counsel needs additional time to file motions, on the following grounds: (a)
22 Counsel has been working on an Appeal in a murder case in *People of Guam v. Mamerto*
23 *Mallo*, CRA07-008, which was completed and filed in the Superior Court of Guam on
24 April 14, 2008; (b) Counsel has been in protracted sentencing proceedings in *USA vs.*
25 *LEILANI HOCOG*, CR06-00034; and (c) Counsel has received additional discovery from
26 the Government and needs additional time to review it, determine whether or not the filing
27 of motions is appropriate, and to conduct legal research.
 - 28 4. On April 10, 2008, Defense counsel contacted Assistant United States Attorney Karon
Johnson to request her consent to extending the motion cut-off date, which consent was

1 given. On April 11, 2008, Counsel transmitted a letter to Attorney Johnson in furtherance
2 of the telephonic conference.

- 3 5. This request is made in the interests of justice to enable Counsel to review the
4 supplemental discovery, conduct additional legal research (concerning *inter alia* the
5 superseding indictment and the charges contained therein) and file motions, if appropriate.

6 Dated: April 15, 2008.

7 Respectfully submitted,
8 LUJAN AGUIGUI & PEREZ, LLP

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10 PETER C. PEREZ, ESQ.

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12 K-0021/878-00/0878/PCP/emt
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